

DEBRIS CLEARANCE CHECKLIST

The purpose of the following checklist is to aid local government with large scale debris clearance situations. If state or federal assistance is necessary, local government must:

1. Determine that the debris clearance is in the public interest. The determination must be based on whether debris clearance is:
 - A. Necessary to eliminate threats to life or property.
 - B. Necessary to eliminate a hazard which threatens substantial destruction of undamaged public or private property.
 - C. Essential to the economic recovery of the affected community.
 - D. A direct or indirect benefit to the community-at-large.
2. Prepare a packet to be forwarded to Montana DES which includes:
 - A. A notarized statement signed by the Chief Elected Official justifying the need for debris clearance and documenting why the required action is beyond local capability.
 - B. A document which identifies the following:
 - 1). A local contact person for performing field inspections.
 - 2). A list of the debris clearance sites by address and whether the location is publicly or privately owned. (Include a map identifying the sites.)
 - 3). The types of debris to be cleared and the impact it has on the location.
 - 4). Cost estimates for removal which include labor, equipment and any other necessary expenses.
 - 5). A list of any location identified for debris clearance which may contain items of personal property. Special personnel and clearance techniques may be required if fatalities, livestock, trailers, automobiles or other personal property exists on site.

RESOLUTION

WHEREAS, on the _____ day of _____, 19____ the President declared a "major disaster" in the State of Montana under the provisions of Public Law 100-707, The Stafford Act; and

WHEREAS, _____ is a public entity within said

State; NOW, THEREFORE, BE IT RESOLVED, by _____
(Governing Body)

of _____ that the Federal
(Public Entity)

Emergency Management Agency perform the following work:

(Describe the work or other assistance requested)

This body certifies that, to the best of its knowledge and belief, the requested work is eligible under Public Law 100-707, The Stafford Act, and agrees to (a) provide without cost to the United States all lands, easements, and right-of-way necessary to accomplishment of the approved work; and (b) hold and save the United States free from damages due to the approved work and with respect to debris removal shall indemnify the Federal Government against any claim arising from such removal.

PASSED AND APPROVED this _____ day of _____, 19____.

Name and Title

Name and Title

(SEAL)

Name and Title

ATTEST:

Name and Title

February 14, 1994

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ATTACHMENT 2

RIGHT-OF-ENTRY AGREEMENT

I, _____, we _____, the owner(s) of the property commonly identified as

_____, _____, _____,
(Street) (City or Town) (County)

State of Montana, do hereby grant and give freely and without any coercion whatsoever, the right of access, entry and use of said property to the _____, its agencies, contractors, and subcontractors thereof, for the purpose of removing and clearing any and all storm-generated debris of whatever nature from the above described property as may be necessary in the accomplishment of the foregoing.

IT IS FULLY UNDERSTOOD THAT THIS PERMIT IS NOT AN OBLIGATION TO PERFORM DEBRIS CLEARANCE.

The undersigned agrees that warrants to hold harmless the

_____, _____,
(City) (County)

State of Montana, Federal Emergency Management Agency, their agencies, contractors and sub-contractors, for any damage of any type, whatsoever, either to the above described property or persons situated thereon and hereby release, discharge and waive any an all action, either legal or equitable, which might arise out of any use or activities on the above described property.

I (have_____, have not_____) (will_____, will not_____) receive any compensation for debris removal from any other source including SBA, ASCS, private insurance, individual and family grant program or any other Public Assistance Program. I will report for this property any insurance settlements to me or my family for debris removal that has been performed at Federal expense. For the considerations and purposes set forth herein, I hereby set my hand and seal this _____ day of _____, 19____.

(Local Certification)

(Owner/Owners)

(Title)

(Owner/Owners)

(Current Telephone Number)

(Current Address)

February 14, 1994

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